



## **Glenora Tributary Stream Restoration Alternative Selection and Comment Responses**

September 9, 2011

Thank you for your comments related to the Glenora Tributary Stream Restoration Preliminary Design Alternatives presented at the community meeting held on August 8 and during the field meeting on August 9. The public comment period for the preliminary design alternatives closed on August 22.

The City's project team has reviewed the consultant's recommended alternative, evaluated the comments received from the residents and have provided direction to proceed with the recommended alternative. This alternative includes relocating a portion of the stream and the construction of adjacent wetlands for stormwater management. We have also directed the consultant to alter the recommended alternative in order to address as many of the resident and City staff comments as possible.

The sketch of Alternative A1 presented in the preliminary design is attached for your reference.

Also, attached are the City's responses to all written comments received during the preliminary design public comment period.

The City's consultant, Charles P. Johnson and Associates (CPJ), is proceeding with the next phase of the design. The City will hold another series of community meetings at the 60% design submission expected in late October or early November. At the 60% design stage, comments will be accepted on the details of the design. Once a date is selected, another advisory will be sent out with more information on the time, date and location of the meetings.

Thank you for your interest and participation in this project.

Sincerely,

Jim Woods  
City of Rockville Project Manager

## COMMENT 1:

Zhiyong Xia  
10 Bouldercrest Court  
8/11/2011

Thank you for taking the time to review the alternative designs with me. Among all the designs, I think Alternative method #1 with BMPs (the current recommended design) is the design that will solve the erosion and storm management in the long run. Therefore I support design Alternative method #1 with BMPs.

However, I would also like the city to consider the following:

1. Increase the distance from my fence to the edge of the bank. Currently, there is only about 4-5ft making it dangerous even to open my fence door and step out. As a result, please consider increasing this distance to 10 feet or more for safety reasons. Also would like the new bed to surface distance to be 5ft or less. Please also consider putting in some gabion blocks on the new bank outside my fence.

**City Comment Response:** The protection of the stream bank in this area is a top priority. The City's engineering consultant, Charles P. Johnson and Associates, Inc. (CPJ) is investigating alternatives for grading and revegetating this portion of the bank to reduce erosion and increase safety. The goal of the selected alternative is to extend the bank to protect the properties.

2. During the construction phase, any effort to reduce the tree loss would be great. I do not want my view to change too much and lose the privacy.

**City Comment Response:** CPJ and the City will continue to make adjustments to the plan to minimize tree loss with an emphasis on saving trees in good condition. Also, any concept chosen will include a planting plan that the Assistant City Forester will review and provide input on.

Once again, thank you and the city for taking the effort on this!

## COMMENT 2:

Sam Belkin  
9 Bouldercrest Court  
8/14/2011

1. I would like the *forstythia* located immediately behind my property to remain intact and not removed as an invasive plant during the project construction.

**City Comment Response:** As mentioned above CPJ is investigating alternatives for re-grading and planting this area to reduce erosion. Although Forsythia is not listed on the City's Non-native and Invasive Plant list, it is a non-native species and due to its fast growing nature tends to crowd out native plant species and is therefore, not a preferred species. However, after meeting with you on site, we will make an effort to remove the path and perform stream stabilization with minimal impacts to the forsythia behind your home.

2. A 4 foot wide asphalt pathway divides my property line from the parkland area. Durable, native

plantings should be placed in the area of the removed asphalt pathway.

**City Comment Response:** It is the City's intent to remove the entirety of asphalt pathway beyond the bridge and use native plantings to re-vegetate the area where space permits. Some portions of the asphalt pathway may need to be removed by hand to limit the impact on the surrounding vegetation. Suitable plantings will be considered for replacement.

3. My understanding is that Version A1 will result in the partial filling of the existing deep 14 foot gully behind my home. The soil apparently is coming from the creation of the diverted planned new stream bed. I would like to discuss, in detail, various options of the replanting of the old streambed directly behind my home. Suitable native flowering trees would be appreciated: Dogwoods, Red Buds etc.

**City Comment Response:** See above. Appropriate replacement plantings for the area of the existing stream will be selected based on the site conditions and may include dogwood and redbud trees where appropriate. The planting plan will be presented at future public meetings and will be available for public comment.

4. Using plan A1: Approximately 100 feet upstream from the location of the planned 'reconnection' of the NEW stream bed to the existing streambed there is a clump of trees marked for removal. These trees are NOT in the middle of the planned streambed but rather near the lower (closer to current streambed) FP (flood plain) marking. By moving about 70 feet of the planned stream approximately 8-10 feet farther northward ['up on the map'] away from 9 bouldercrest court, approximately 6-10 trees can be saved.

**City Comment Response:** The City Forestry division has provided direction to CPJ to reevaluate this area in the field to alter the proposed alignment of the stream and the shape of the proposed wetland areas to save additional healthy trees. Per the field meeting with adjacent owners in August, it is feasible to save several of these trees with an adjustment to the alignment of the selected alternative.

5. The LARGE Sycamores were not specifically indicated on the map – my understanding that these trees (greater than the 24" diameter) are NOT slated to be removed. Is that correct?

**City Comment Response:** The City Forester will review the plans to determine if some trees in the vicinity of the final construction area should be removed based on impacts to their canopy and root system. The large sycamore that is directly across the stream from 9 Bouldercrest Court is planned to be saved at this time, however, a final decision will be made during the next phase of the design as the impact to the critical root zones of potentially affected trees is further defined.

### COMMENT 3:

Susan Smink  
7 Great Pines Court  
8/22/2011

I am writing because I am still quite concerned about this project and the impact it will have on the residents of the area.

I love the area, and I love being outside. Monday afternoon before 5 PM I had guests over and we tried to sit

on my deck. We were all bothered by insects biting us and it was nowhere near dusk.

Also, due to the 2 hard winters of '09 and '10, we have lost trees in the area, which has let in more light, which in turn has the weeds and vines taking over. This too increases the insects. I understand the City does not want to maintain this area, but they really must maintain the perimeter by pruning trees and somehow controlling the weeds/vines. On city land behind our homes, the grass is longer and creeping closer thus bringing more insects into 'the people' space. . . . . also, mice, snakes etc. (and we are not allowed to mow this area)

I understand something has to be done to fix the erosion problems, but adding 2 more wetlands is of great concern. Why can't they re-do the 2 wetlands which are there, or take them out, if the placement of the new wetlands suits the terrain better.

Just some thoughts, which may not seem important to you (the City) but is very important to me and my neighbors. I trust you will consider working with our communities going forward to maintain great neighborhoods and not a jungle.

**City Comment Response:** In accordance with the City's Environmental Guidelines, mowing is not recommended within a stream valley buffer. The predominant vine on site is a native vine and may be pruned back but not removed. The contractor will perform non-native invasive species control for 2-years upon completion of the project. After the work is complete, the City would be interested in starting a resident-City partnership to control and/or remove new non-native invasive plants.

Mosquitoes and other biting insects are seen as an increasing problem throughout the US. However, healthy, functioning wetlands can actually reduce mosquito populations by creating habitat for mosquito consuming animals (dragon flies, water striders, toads, frogs, bats, fish and birds to name a few). A healthy wetland provides habitat for many unique animals including natural predators of mosquitoes. These natural predators keep the mosquito population low. Mosquitoes become a problem, however, in areas that have standing water, yet do not support the beneficial animals that feed on mosquitoes.

All kinds of wet areas or areas of standing water create a good breeding site for mosquitoes: old tires, cans, and other containers that collect rainfall; even hollow logs that hold water, and low spots in the ground where water pools. Because these types of places do not provide good homes for those beneficial insects and other kinds of wildlife that feed on mosquitoes, the mosquitoes quickly reproduce out of control.

It is the intent of the City and CPJ to create wetlands which will support the frogs, fish, and insects that will feed on mosquito larvae and adults keeping their populations in check. The City will pursue the feasibility of installing bat and bird boxes in the area to provide further natural controls.

It also should be noted that the selected alternative for the project would channel and collect some runoff currently draining to low areas without good habitat (mosquito breeding areas) to what will be good predator habitat. Without the any work being done, the current low-lying areas will continue to produce mosquitoes without adequate predators present.

**COMMENT 4:**  
**Elizabeth Moore & David Wember**  
**26 Guy Court**  
**8/21/2011**

We are worried that the changes being suggested will damage our property. Our concern is that by moving the stream closer to our property it will cause the already existing wetland to move closer to our property. We have been given no assurances that this will not happen or what the City of Rockville would do if it were to happen.

**City Comment Response:** Please see the response to Comment 3. Per discussion during the field walk, the consultant stated that although the stream would be moved closer to the properties in question, actual drainage along and from the hillside would be collected and channeled away from the hillside to support the wetland and stream areas.

We understand that two other wetland are to be created but our concern is that if they fail and the area becomes a swampy area the already existing mosquito problem would increase and more trees will die. Again, we have been given no assurance that if this does happen what the City of Rockville will do to protect our neighborhood and fix the problem.

**City Comment Response:** The City has an on-going SWM facility maintenance program. These new wetland areas will be monitored and maintained through this program. Maintenance activities may include, maintaining water flow and a wetland environment.

There is an existing storm water pipe on a neighboring property that appears to either directly or indirectly affect this situation. On our August 9th field walk this area was discussed and observed. We have not been contacted about including a fix for this problem in the project. To us this is an essential part of the restoration process.

**City Comment Response:** Since this area is outside of the project area and not located on City property, it was not included in the original scope of work. However, since this storm drain outfall conveys water coming from a City street through a storm drain pipe that is within an easement dedicated to the City, and is contributing to the downstream erosion, it is feasible to add into the scope of work that the City will address.

The City has contacted the Carter Hill Homeowner's Association (CHHA) President Abby Lewis to setup a field meeting to discuss this area. If given permission to pursue addressing this work from the CHHA, the City will develop a scope of work to address the erosion problem. This scope of work will be given to the City's consultant to develop a design. The consultant will develop feasible alternatives for addressing the erosion, and then will work with the CHHA, City Staff and other affected residents to determine how it will be constructed. Any proposed construction will limit the impact to private property and existing trees.

If our concerns are addressed to our satisfaction we would prefer alternative A1

## COMMENT 5:

**Bob & Anita Rappoport**  
**24 Guy Court**  
**8/21/2011**

We wanted to thank you, the contractor, and all of City staff for taking the time to hold public presentations on the Glenora stream restoration and stabilization project. The field visit was very beneficial and allowed everyone to visualize the preliminary design(s). We are in support of the recommended design, but have the following concerns and comments.

1. We live at 24 Guy Court, and the project begins on the border line between our property and 17 Guy Court (Carter Hill Swim Club). As we pointed out to you at the meetings and during the field visit, we feel that the storm water drain that runs off the dead end of Guy Court (and the parking lot of the swim club) are a contributing factor to the stream erosion downstream. There is also standing water in this drainage area due to lack of maintenance. As a result, the health of several trees has been compromised. It was our understanding that the City was going to investigate incorporating this area during the current project. We believe that the Carter Hill HOA would be in full support of allowing this restoration.

**City Comment Response:** Please see the response to Comment 4.

2. With the redesign of the creek flowing towards Guy Court (away from Bouldercrest), we would like the assurance that the creek bed will be constructed in such a way that erosion will not occur in our direction.

**City Comment Response:** The new stream profile and plan view will be evaluated using hydrologic and hydraulic models to determine potential stream storm flows, velocities, and sheer stresses. The final design will incorporate materials and natural structures such as stone cross vanes to convey the flows and protect the stream banks. Some minor erosion and deposition can and will occur on all newly created stream banks in the future. This is accounted for in the design as all streams are dynamic through varying storm flows. However, major erosion (several feet or more involving bare, steep banks) is prevented from happening in the future based on the stone/rock revetments and root systems of planted vegetation.

3. We are also concerned that the proposed wetland pond(s) to the rear of 26 Guy Court and Great Pines Court will be a breeding ground for mosquitos. During conversations, we discussed the possibility of the City incorporating a mosquito mitigation plan into the cost of this project.

**City Comment Response:** See response to Comment 3. A specific mosquito mitigation plan will not be incorporated; however measures as described above will be implemented to attempt to limit the mosquito population.

We look forward to future discussions and reviews of the project plans.

## COMMENT 6:

George & Cathy Silvestri  
421 Feather Rock Drive  
8/21/2011

Thanks so much for meeting with us and the Schwemberger's to elicit our ideas about what should be done with the area that makes up the current bike path between our two properties. We think you did an excellent job of trying to find reasonable solutions to the issues that concerned both sides. Attached is a summary of the issues discussed and the proposed solutions that both sides found acceptable. We will keep in touch with you if we can think of any other issues that we should discuss.

1. The retaining wall bordering the Schwemberger's property and the bushes on top of it will not be removed. The Silvestri's believe that the retention of the retaining wall is important due to grading issues and the possibility of water flooding their basement. The bushes and the fence on the Silvestri's property along the current bike path will be removed, and the macadam surface of the path will also be removed and grass planted there. The City of Rockville will maintain the bushes on the retaining wall and mow the grass from the end of the retaining wall to the end of the Silvestri's property. The grass will be mowed once every two weeks during the growing season.

**City Comment Response:** The City concurs and agrees to the level of maintenance as described above.

2. At the end of the stream restoration project, the Silvestri's would like to discuss the possible transfer to them of the land from the end of their property up to the retaining wall (the current bike path) which is currently owned by the city of Rockville. It is understood that if a transfer of property occurs, an easement would be necessary so that the City of Rockville could bring in light-weight maintenance equipment to trim the bushes on top of the retaining wall, mow the grass at the base of the retaining wall, and access the stream area when necessary.

**City Comment Response:** If requested in writing from both the Silvestri's and the Schwemberger's the City will begin to pursue the transfer of the City-owned parcel of land located between 421 and 419 Feather Rock Drive. The City would work with both property owners to determine where the new property line between the two properties would be located. This land transfer must be approved by the Mayor and Council. If requested, staff will pursue the issue with the City's Senior Management staff.

In this scenario, the City would request that an easement be granted to the City to allow for maintenance access to the stream and the sanitary sewer located within the wooded stream valley park. This easement would prevent the planting of trees, shrubs and any structures that would prevent the City from gaining access to the stream and the sanitary sewer.

Any transfer of land would occur upon the completion of the construction of the stream restoration project; however, the legal process of the land transfer can be started earlier. If the land was transferred to the two property owners, the homeowners would assume the ownership and maintenance of the grass, the retaining wall, the bushes on top of the wall and the split rail fence. The City would no longer maintain this property.

## COMMENT 7:

Justina & John Schwemberger  
419 Feather Rock Drive  
8/20/2011

We attended the preliminary design presentation and field meeting August 8 and 9, 2011, at which statements were made regarding the future of the asphalt path that begins on Feather Rock Drive and heads to the bridge on the Glenora Tributary stream. We also met with representatives of the City of Rockville on August 18, 2011 to discuss the future of the path. Because we live right next to the path our comments below focus on the future of the path.

1. Our preferred option: We would like to see the current asphalt path kept and maintained for the following reasons. The City will need to maintain the bushes along the path and the retaining wall. Recently, City workers drove a truck down the path to be able to trim the bushes, and used the truck as a platform while doing the necessary trimming. In addition, the City needs to maintain and trim the trees immediately behind our back yard which are encroaching on our yard and deck. To do so, the path provides access to equipment and personnel to do the work. Next, the City will need access to the manhole in the stream. The path provides easy access to the manhole. Next, in the last 1-2 years the City has brought heavy equipment down the path to remove a fallen tree close to nearby condominiums. The path provides a means to do maintenance in the areas near residential housing. The path also preserves the residential character of the adjacent housing. The forested area is sufficiently overgrown and wild, and no additional areas need be added to the forest immediately behind our house.

**City Comment Response:** The asphalt path and concrete pedestrian bridge will be removed as part of the stream restoration project. The asphalt path is not a part of the City's pedestrian path network and does not lead to any active park amenities or provide a thoroughfare to Bouldercrest Court. Due to this, the City's Parks Department maintenance of the asphalt path may not meet your expectations. In addition, the removal of impervious area is an overall goal of the City's environmental policy and any opportunity to remove existing impervious area is a benefit to the Watts Branch watershed.

The City will remove the asphalt path and the bushes and fence on the 421 side of the path. Grass will be planted in its place up to the base of the retaining wall. In the event that the parcel of land is not transferred to the property owners, the City will mow the grass during the growing season once every two weeks and trim the bushes annually and as needed. In order to maintain the bushes and access the stream and manhole, the City does not need a hard impervious surface. The City can maintain these features on grass.

Maryland follows the "Massachusetts Self-Help Rule" with regard to tree pruning. This rule states that a property owner can cut off branches which are intruding over his property as long as the tree's health is not compromised.

2. The City mentioned the possibility of removing the asphalt path, planting grass to replace the asphalt, but only to roughly the property lines after which the area would be allowed to grow wild. The fence along the creek would be removed. If this occurs our comments are the following:
  - a) We would like to see the grass planted at least to the end of the retaining wall.



The following comment responses assume the City retains ownership and maintenance responsibilities of the parcel of land between 421 and 419 Feather Rock Drive.

**City Comment Response:** The City concurs.

- b) We would like to see a fence installed where grass changes to a wild area to ensure that residents, especially children, have some warning to stay away from the drop to the stream.

**City Comment Response:** The City concurs.

- c) If heavy equipment needs to be driven over the grass to do maintenance, we are concerned that the grass will be damaged. In this case the grass and any other damage caused by the equipment should be repaired.

**City Comment Response:** The City concurs.

- d) We would like to see that the grass is mowed and fertilized on a regular basis, and that weeds are removed on a regular basis.

**City Comment Response:** The City will generally mow the grass once every two weeks in the growing season. Fertilizer will not be applied.

- e) We would want the City to trim the bushes above the retaining wall on a regular basis.

**City Comment Response:** The City will trim the bushes as needed.

- f) We would want the City to maintain the retaining wall, and the fence above the retaining wall.

**City Comment Response:** The City concurs.

- g) We do not want trees, bushes, or fences on the former path area, as this would make it difficult for the City to gain access to the manhole cover and to do other necessary maintenance. In addition, any trees in the former path area would be encroaching on our property in the near future.

**City Comment Response:** The City concurs. The City will not allow anything to be planted or constructed on this parcel as it will prevent access to the stream and sanitary sewer manhole.

- 3. We understand the City might consider selling the land where the path is to ourselves and our neighbors at 421 Feather Rock Drive after the path is converted to grass. This option will leave the City with the right to use the path grassy area to bring maintenance equipment and personnel to maintain the sewer manhole, the stream, and the trees. In this case our comments are the following:

- a) We want to see the land divided in half between us and our neighbors at 421 Feather Rock Drive, and we would want to buy the half of the land that is adjacent to our property.

The following comment responses assume the City pursues transferring ownership and maintenance responsibilities of the parcel of land between 421 and 419 Feather Rock Drive as described in the response to Comment 6.

**City Comment Response:** The City concurs. The proposed property line will be determined through coordination between both property owners and must be approved by the Mayor and Council.

- b) We expect the City to maintain and trim the trees in the forested area that are encroaching on our property.

**City Comment Response:** See response in Comment 7, number 1.

- c) We do not want trees, bushes or fences on the former path area, as this would make it difficult for the City to gain access to the manhole cover and to do other necessary maintenance. In addition, any trees in the former path area would be encroaching on our property in the near future.

**City Comment Response:** The City concurs. The easement conditions will not allow anything to be planted or constructed on this parcel as it will prevent access for the City to maintain the stream and sanitary sewer manhole.

- 4. Under all three scenarios above, we remain concerned about the abundance of wild life in a residential area. For example, we have deer, foxes, snakes, ground hogs, chipmunks, and rabbits in our back yard as a result of the heavy forestation. We are concerned about the lyme disease that comes from deer ticks. We are not able to do gardening as whatever we plant is eaten by deer, and we have deer droppings all over our back yard. For this reason, we do not want more wild areas added behind our yard. The City should consider a buffer zone of less vegetation between the forested area and residential housing. During the time when there was such an area immediately behind our backyard, there were fewer problems with animals.

**City Comment Response:** The City's Environmental Guidelines recommends a minimum of a 125-foot wide forested stream buffer, with even wider buffers on stream banks with steep slopes, erodible soils, wetlands, springs and seeps. The Glenora Tributary forested stream valley area is already much narrower than the Environmental Guidelines recommend. The City will not consider reducing the width of the forested stream valley or provide an additional buffer between the stream valley and the residential properties.

The City's Parks Department limits maintenance in forested stream buffers to litter and debris removal and the removal of downed trees that block the stream flow. All other maintenance activities such as mowing are generally not allowed because of the possible damage to trees and the high probability of erosion.

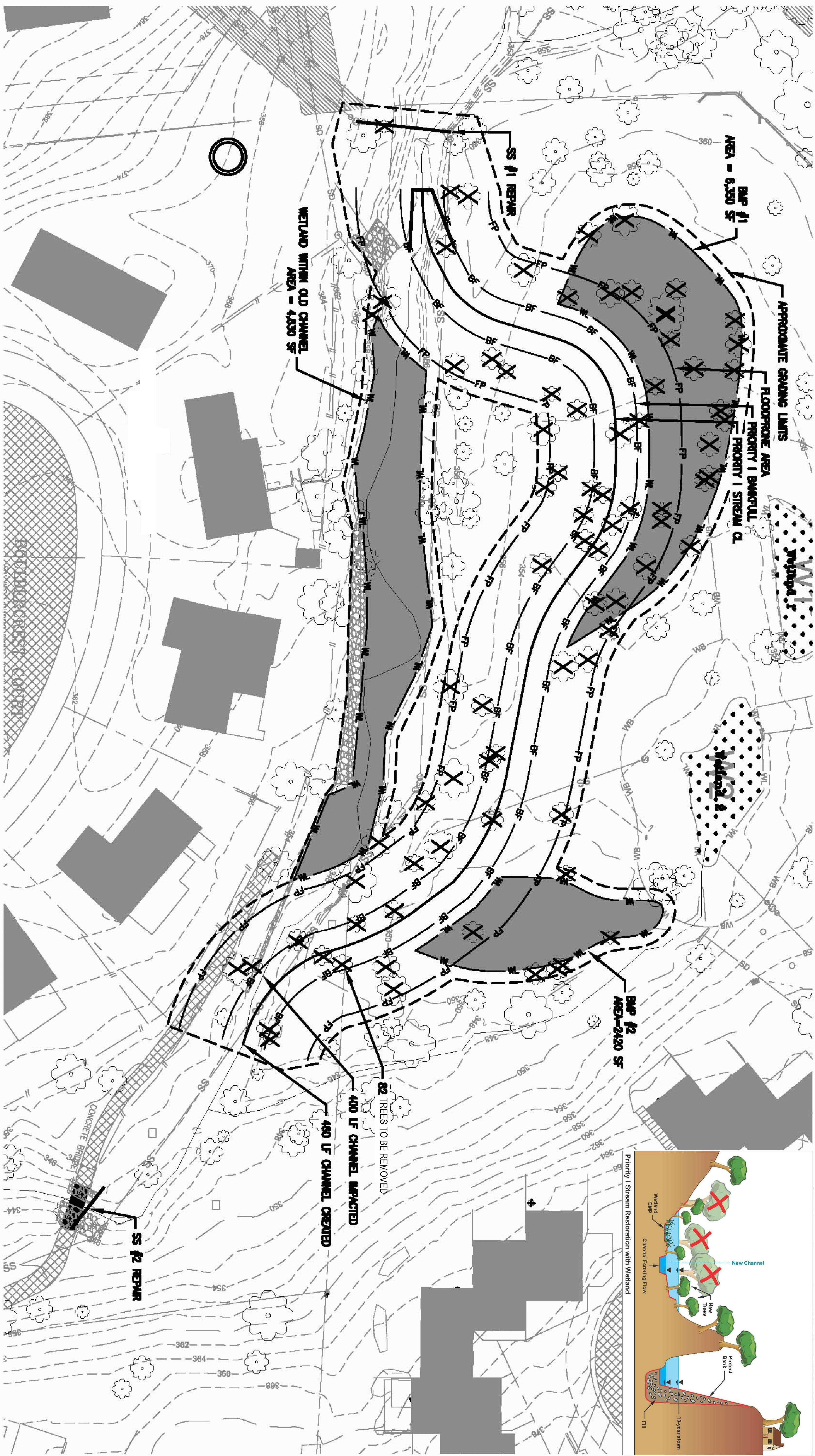
**COMMENT 8:**

**Todd Halpern**  
**417 Feather Rock Drive**  
**8/22/2011**

Regarding the portion of the bike path between the houses at #419 & #421 Feather Rock Drive, we're concerned about what will happen to the path area as a result of the restoration project. If the wall is left intact but the bike path is removed (e.g., the pavement is removed), what will become of that area? Will the city plant trees and grass there? Will the city continue maintain this area? And what about mainenance of the wall itself and the fence and shrubbery along the top; will the city continue to do that as well?

**City Comment Response:** See the City's response to Comments 6 and 7.





APPROX. GRADING LIMITS = 1.0 ACRES

ALTERNATIVE A.1
PRIORITY I WITH BMPS
GLENORA TRIBUTARY
STREAM RESTORATION
CITY OF ROCKVILLE, MD